

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

SAMUEL M. ROBERTS,

Plaintiff,

-vs.-

Civil No. 11 CV 6206L

LOS ALAMOS NATIONAL SECURITY, LLC.,
AWE, PLC., MASSACHUSETTS INSTITUTE OF
TECHNOLOGY,

Defendants,
Third-Party Plaintiffs,

-vs.-

UNIVERSITY OF ROCHESTER

Third-Party Defendant.

NOTICE OF APPEAL

PLEASE TAKE NOTICE, that SAMUEL M. ROBERTS, Plaintiff, in the above-named case, hereby appeals to the United States Court of Appeals for the Second Circuit from the Decision and Order of the Hon. David G. Larimer granting the motions for summary judgment (Dkt. # 56, #61, #66, and #75), dismissing Plaintiff's Complaint in its entirety, denying Plaintiff's motion for partial summary judgment against, Los Alamos (Dkt. #63), and denying as moot Plaintiff's motion to strike Los Alamos's Answer (Dkt. #65), entered in this action on the 26th day of April, 2013 (Dkt. #103).

DATED: Pittsford, New York
 May 9, 2013

s/Louis J. Micca
Louis J. Micca, Esq.
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CERTIFICATE OF SERVICE

I hereby certify that on May 9, 2013, I caused to be filed the foregoing Notice of Appeal with the Clerk of the District Court using the CM/ECF system, which sent notification to attorneys for:

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s/Louis J. Micca

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